

# **SPEAKER PELOSI GOES FROM SLOW-WALKING TO SPRINTING**

This morning, Nancy Pelosi announced she's asking Jerry Nadler and Adam Schiff to draw up articles of impeachment against Donald Trump.

Both reports on scheduling from members of HJC and Congress generally as well as reporting from CNN suggest Pelosi intends a very quick schedule for this process: articles drawn up this weekend, a vote in HJC next week, then a full vote before Christmas.

This is a mistake, in my opinion. I think Pelosi should bump this schedule out to early February. I say this not out of any fondness for delay, but because several things will or are likely to happen in the interim that would make impeachment more thorough.

The first is a ruling on Don McGahn's testimony. I think the case on impeaching Trump for obstructing the Mueller investigation should most importantly focus on his abuse of the pardon power, not least because preventing a Trump pardon may give Paul Manafort and Roger Stone reason to grow more chatty. But McGahn's testimony, describing how Trump asked him to falsify a record to cover up the fact that the President asked him to get Mueller fired in summer 2017, would be important for other reasons. Jonathan Turley cited McGahn's testimony, for example, as the clearest case in the Mueller Report supporting impeachment (though of course he claims it doesn't reach the level of abuse that Turley claimed lying about a consensual blowjob did back when Clinton did it). It would also be powerful to have a key player in Republican politics – they guy helped Trump stack the courts – play a key role in his impeachment.

While there's little hope the Democrats could force the testimony of the key witnesses in the

Ukraine investigation (including McGahn's one-time deputy, John Eisenberg) without long delay, they're more likely to get a ruling requiring McGahn's testimony.

Then there's the high likelihood of a superseding indictment in the Lev Parnas case. At a hearing Monday, prosecutors made it clear they're very likely to supersede the current indictment against Rudy Giuliani's grifters, possibly including other targets of the probe.

Prosecutor Zolkind signaled that a grand jury would probably level more charges.

"We think a superseding indictment is likely, but no decision has been made, certainly," Zolkind said.

Repeatedly emphasizing that the government's investigation is ongoing, the prosecutor referred obliquely to possible other targets by explaining that redactions on search warrants do not relate to the charged case. Zolkind also explained that disclosing witness statements prematurely could risk compromising the probe.

While the judge in the case, Paul Oetken, signaled his willingness to share information from this probe with impeachment investigators, and Parnas and his lawyers indicated that they'd like to comply with HPSCI's subpoena (probably in an attempt to leverage immunity), that may take some time, perhaps two months. But I think any evidence from this case will be stronger if it comes with a grand jury indictment alleging that more of the underlying activities in this grift were probably a crime.

The next hearing in this case is February 3. That's why I think Pelosi should hold off on until February.

Those are just two of the reasons I think Pelosi should slow things down a bit – at least on the vote in the entire House – to allow other pieces

to fall into place.